



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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MAILED

JUN 16 2003

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600

In re application of
Walter M. Bain
Application No. 09/655,704
Filed: September 6, 2000
For: AUTOMATED PRESCRIPTION
DISPENSING SYSTEM AND METHOD
OF USE

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the request filed on May 27, 2003, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;

The request to withdraw as attorney satisfies each of the conditions A) – C) above and the request is therefore **APPROVED**.

It is noted that all attorneys of record are listed for Customer Number 26986, as listed in the request for withdrawal of attorney, except for Mr. Randall B. Bateman. It is also noted that a phone call was made to Morris O'Bryant Compagni, resulting in confirmation that Mr. Randall B. Bateman, who is directed to in the new correspondence of address, remains as the **only** attorney of record in the Power of Attorney.

In summary, the request is **APPROVED**.



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KJD/dxn; 6/12/03